IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

TUESDAY, THE FIFTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SMT JUSTICE T.MEENA KUMARI

and
THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT APPEAL NO : 766 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 25/02/2005 in WP NO : 2382 OF 2005 on the file of the High Court.)

Between:

Varigonda Venkateswarlu, S/o. Late Venkateswarlu,
Nellore.

..... APPELLANT

AND

1 The Depot Manager, APSRTC, Vakadu Depot, Vakadu, Nellore District.
2 The Presiding Officer, Labour Court, Guntur District.

.....RESPONDENTS

Counsel for the Appellant: MR.T.LAKSHMI NARAYANA

Counsel for the Respondents: MR.R.MANMADHA REDDY (SC FOR APSRTC)

The Court at the stage of admission made the following :

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JUDGMENT:(Per Hon'ble Smt. Justice T.Meena Kumari)

This writ appeal is filed by the appellant, aggrieved by the order dated 25-02-2005 in W.P.No.2382 of 2005, wherein the learned single Judge dismissed the said writ petition.

The appellant is the writ petitioner. Originally, challenging the order of removal from service, the appellant has raised an industrial dispute in I.D.No.258 of 1997 before the second respondent-Labour Court, Guntur. The said I.D. underwent several adjournments and finally on 26-10-2002, when both the appellant and his counsel were absent, the same was dismissed. Thereafter, the appellant filed I.A.112 of 2003 to set aside the dismissal order dated 26-10-2002 and the same was also dismissed on 05-07-2004. Aggrieved by the same, the appellant filed the writ petition to call for records relating to the order impugned and quash the same as arbitrary and illegal. The learned single Judge, having observed that though the matter has been pending for the last several years, the petitioner has not evinced any interest in prosecuting the case and the matter was adjourned for several times and therefore, dismissed the writ petition. Challenging the same, the appellant preferred this appeal.

Heard the learned counsel for the appellant and the learned standing counsel for the respondents.

We have perused the order impugned and the entire material available on record.

The learned single Judge, after hearing both the parties, held that the appellant herein has not prosecuted the case diligently though the Labour Court has granted several adjournments on previous occasions and dismissed the writ petition.

In view of the facts and circumstances of the case, we feel that the order of the learned single Judge, does not suffer from any illegality or irregularity and as such, it does not warrant any interference by this Court. Accordingly, the writ appeal is liable to be dismissed.

In the result, the writ appeal is dismissed. There shall be no order as to costs.

T.MEENA KUMARI,J

Dt:05-04-2005

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L.NARASIMHA REDDY,J

Kdl/nn

To

1 The Depot Manager, APSRTC, Vakadu Depot, Vakadu, Nellore

District.
2 The Presiding Officer, Labour Court, Guntur District.

3. 2 CD copies

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